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Attorney for Plaintiffs

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

JOSE CONTRERAS & MARIA
OLIVEROS, his wife,

Plaintiff

-vs-

CIVIL ACTION NO.

SUSHIL K. MEHANDRU, M.D.,
JOHN & JANE DOES, 1-20
(said names being fictitious, true
names presently unknown),
XYZ COMPANIES, 1-20,
(said names being fictitious,
said names being fictitious, true
names presently unknown),

MEDICAL MALPRACTICE COMPLAINT

(JURY TRIAL DEMANDED)

Defendants

Plaintiffs, JOSE CONTRERAS & MARIA OLIVEROS, residing at 71 Warren
Street, in the City of New Rochelle, County of Westchester and State of New York, represented by
the undersigned counsel, respectfully allege:

JURISDICTION & VENUE

1. This action is one over which the federal court has original jurisdiction pursuant to
Title 28, United States section 1332 since there is complete diversity between the
parties and the amount in controversy exceeds a sum or value of Seventy-Five

Thousand Dollars exclusive of interest and costs.

PARTIES

2. The plaintiffs, **JOSE CONTRERAS & MARIA OLIVEROS**, are adults and competent individuals currently residing at 71 Warren Street, New Rochelle, New York, 10801, and the acts or omission of the defendant occurred within the District of New Jersey.
3. The defendant, **SUSHIL K. MEHANDRU, M.D.**, is a physician duly licensed to practice medicine in the State of New Jersey with his principal place of business 1925 Highway 35, Wall, New Jersey, 07719.

THE OCCURRENCE

4. At all relevant times, including but not limited to May 22, 2013, the plaintiff, **JOSE CONTRERAS**, became a patient of the defendant, **SUSHIL K. MEHANDRU, M.D.**, **JOHN & JANE DOES, 1-20** (said names being fictitious, true names unknown), and **XYZ Companies 1-20** (said names being fictitious, true names presently unknown).
5. The defendants, **SUSHIL K. MEHANDRU, M.D.**, **JOHN & JANE DOES 1-20**, (said names being fictitious, true names presently unknown), & **XYZ Companies, 1-20**, (said names being fictitious, true names presently unknown), had a duty to exercise the degree of care and skill in the treatment of the plaintiff, which was in accordance with the generally accepted medical standards of care and skill utilized by physicians, nurses and other medical personnel in examining, diagnosing, and treating persons as the plaintiff, **JOSE CONTRERAS**.
6. The defendants, **SUSHIL K. MEHANDRU, M.D.**, **JOHN & JANE DOES 1-20**, (said names being fictitious, true names presently unknown), & **XYZ Companies,**

1-20 (said names being fictitious, true names presently unknown, negligently and carelessly failed to exercise the degree of care and skill required of them in their treatment of the plaintiff, including, but no limited to the following deviations from generally accepted standards.

- a. The defendants negligently failed to provide appropriate medical treatment to the plaintiff, **JOSE CONTRERAS**.
 - b. The defendants failed to prescribe the proper dosage of Prednisone to the plaintiff, **JOSE CONTRERAS**, resulting in the plaintiff's overdosing on said medication for a period of (4) months.
 - c. The defendants failed to obtain proper and informed consent for the treatment rendered to him.
 - d. The defendants failed to properly diagnose the plaintiff's illness and condition after he had prescribed the over dosage of Prednisone.
 - e. The defendants were otherwise negligent and careless and otherwise deviated from generally accepted medical standards in the treatment of the plaintiff.
7. As a proximate result of the negligence of the defendants, **SUSHIL K. MEHANDRU, M.D., JOHN & JANE DOES 1-20** (said names being fictitious, true names presently unknown and XYZ Companies, 1-20 (said names being fictitious, true names presently unknown, the plaintiff, **JOSE CONTRERAS**, was caused severe injuries, causing him great pain and suffering, causing him to seek further medical treatment and incur further medical bills, and disabling him from further activities, be caused to seek medical treatment and incur medical bills, and be disabled from his normal activities and employment.

WHEREFORE, plaintiffs demand entry of judgment against the defendants for damages, interest, attorney's fees and costs of suit.

SECOND COUNT

8. Plaintiffs repeat and reiterate each and every allegation contained in the First Count of the Complaint as if same were set at forth at length herein.
9. At all relevant times, the plaintiff, **MARIA OLIVEROS**, was and is married to the plaintiff, **JOSE CONTRERAS** and as such is entitled to his love, society, affection and consortium of the plaintiff.
10. As a result of the negligence of the aforesaid defendants the plaintiff was caused to be deprived of the love, society, services, affection and consortium of her husband.

WHEREFORE, plaintiffs demand entry of judgment against the defendants for damages, attorney's fees, interest and costs of suit.

Emolo & Collini Esqs.

By: _____

Joseph E. Collini

Dated: 4/22/15